

Art Rejections:

Claims 1, 3-10 and 17-21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,892,690 of Boatman et al. Additionally, claims 2-4, 11-16 and 23-25 stand rejected under 35 U.S.C. § 103(a) as being considered obvious over Boatman.

Boatman discloses an environment monitoring system for monitoring the quality of air or water at a particular location. The system includes a site monitoring assembly with sensors coupled to a data storage device for storing data of the sensors. The data storage device is coupled to a remote access device (modem) so that a site controller can collect the sensor data for storage and analysis by a remote data collection system. A system controller is employed to initiate access to the site monitoring assemblies. (See, col. 2, lines 23-62.) Boatman also teaches that the remote data collection system may output periodic reports (data) of air quality, in printed form, by disk or via the Internet for review and analysis by the individual sites. (Col. 3, lines 30-35.)

Amended claim 1, on the other hand, reads as follows:

1. *A method for monitoring and controlling one or more devices in a common environment, comprising:*

*collecting usage information from the one or more devices by a computer coupled to the one or more devices;*

*storing the usage information in a memory associated with the computer;*

*periodically accessing a remote database by the computer, the remote database containing information specific to the one or more devices, the computer accessing the remote database to:*

*transmit the usage information to the remote database, and*

*receive the information specific to the one or more devices from the remote database; and*

*transmitting a control signal from the computer to the one or more devices, the control signal being generated by the computer based on the information received from the remote database.*

The present invention is distinguished from Boatman in several respects. Firstly, Boatman fails to teach or disclose *“collecting usage information from the one or more devices...”* Instead, Boatman simply collects environmental data (air or water quality) recorded by his sensors. According to the present invention, usage information includes data pertaining to how, when and how the various devices operating in a home or manufacturing environment are actually used. The specification discloses that the usage information may include data relating to the average length of time the devices have been in operation, the number of occasions the devices have been in operation, the number of times maintenance was performed on the devices over a period of time, and the types of maintenance procedures that were performed on the devices. Thus, Applicant’s “usage information” differs significantly from the sensor data collected by Boatman’s environmental monitoring system. For this reason, as well as the additional reasons discussed below, Boatman does not anticipate the present invention.

Furthermore, Boatman does not disclose or teach *“accessing a remote database by the computer, the remote database containing information specific to the one or more devices ... to receive the information specific to the one or more devices from the remote database”* as recited in claim 1. Boatman’s remote data collection system is just a facility for collecting and storing data from the various test sites for analysis. There is no data stored in Boatman’s remote data collection system that includes information specific to the devices in the environment being monitored. This is understandable because Boatman does not monitor and control devices of the type employed in Applicant’s common environment; rather, Boatman only monitors a particular environment, and that is achieved through the use of sensors (not devices).

In other words, Boatman is simply concerned with monitoring the air or water quality of a particular environment; he is not concerned with monitoring the usage of

specific devices operating in an environment. Nor is he even remotely concerned with controlling the performance of those devices based on the usage information collected. Because of this fundamental difference between Boatman's system and the claimed invention it is respectfully submitted that the claimed invention, as amended, would not have been obvious to one of ordinary skill at the time it was made in view of the prior art teachings of Boatman.

The Office Action considers that Boatman teaches "*data collected by the remote databases is used to control data collection operations at the sensor devices.*" Applicant respectfully disagrees. Boatman does not teach using data collected by the remote databases to control his sensors. Rather, the collected data is used to control the quality of the environment (air or water) being monitored, for example, by determining the frequency at which filtering devices need to be changed. (Col. 4, lines 5-14). This type of data reporting is markedly different than a control system in which a computer controller automatically transmits control signals to devices to change the operation of those devices based on sets of information specific to those devices received from a remote database. As such, it is respectfully submitted that the invention set forth in claims 1-4, 6-8, 10-11, 13, 17-18, 20 and 23 are neither anticipated, nor would have been obvious to one of ordinary skill in the art in view of Boatman.

Applicant respectfully submits that remaining claims 1-4, 6-8, 10-11, 13, 17-18, 20 and 23 are patentably distinct from the prior art and are therefore allowable.

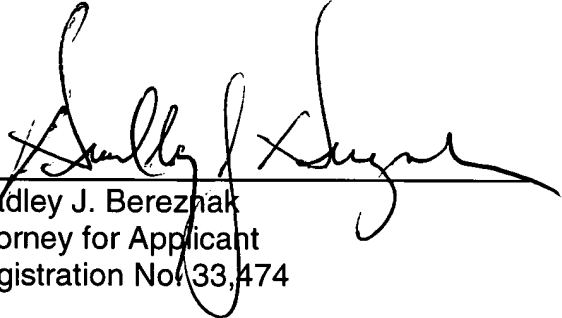
Should the Examiner find any remaining issues that would be an impediment to prompt allowance of the application, it is requested that the Examiner initiate a telephone interview with the undersigned during normal business hours (Pacific time).

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Account No. 02-2666.

Respectfully submitted,

**BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP**

Dated: 1/13, 2000

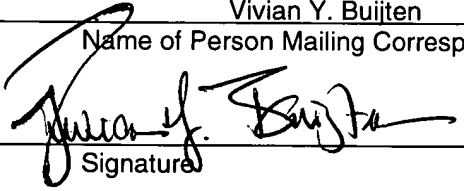
  
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I hereby certify that the foregoing Amendment is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Box Non-Fee Amendment, Assistant Commissioner for Patents, Washington, D.C. 20231 on January 13, 2000.

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